

## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
William R. Selbig, Regional Director

Shawano Office  
647 Lakeland Rd.  
Shawano, Wisconsin 54166  
Telephone 715-524-2183  
FAX 715-524-3214

May 14, 1999

**COPY**

Mr. Dale Kluth  
Glendale Farms Inc.  
N9895 Kluth Rd.  
Clintonville, WI

Subject: Case Closure for Kluth Property (Former Warning Farm), Clintonville, WI ; LUST ID #03-69-153329.

Dear Mr. Kluth:

The Department's Case Closeout Committee in the Northeast Region has completed a review of the above-referenced petroleum contamination case and has approved it for closure. Your case closure letter has the following two significant parts:

1. General case closure criteria.
2. Groundwater Use Deed Restriction

Please read this entire letter. It addresses each of these topics with subtitled indented paragraphs.

### 1. General Case Closure

The case closure panel reviews environmental remediation cases for compliance with state laws, standards, and guidelines to maintain consistency in the closeout of cases. At the present time, it appears that actions have been taken to the extent practicable to restore the environment and minimize the harmful effects from this discharge to the air, lands and waters of this state. Please be aware that this letter does not absolve the current or any future owner of this property from future decisions regarding this site or impacts which may be discovered and/or traced back to past or future activities at this site. If additional information in the future indicates that further investigation or cleanup is warranted, the Department will require that appropriate action be taken at that time.

### 3. Deed Notice of Remaining On-site Groundwater Contamination.

Groundwater contamination in excess of NR140 Groundwater Quality Enforcement Standards remains at the site. However monitoring data indicates that natural attenuation will remediate the remaining contamination in a reasonable period of time. As a condition of closure, the Department is requiring that a groundwater use restriction be placed on the property deed indicating this condition and special requirements that will be necessary to construct a well on the property.

*Quality Natural Resources Management  
Through Excellent Customer Service*



Printed on  
Recycled  
Paper

Please send me a copy of the current property deed as filed with the Waupaca County Register of Deeds. The deed must have a detailed property description and the name of the current property owner. I will prepare the groundwater use restriction based on this information and return it to you for filing at the register of deed office. Please note that the current property owner or an authorized representative must file the notice.

The Department appreciates the actions you have undertaken to restore the environment at this site. This case will appear as closed on the Department's case tracking system after our receipt of 1) the monitoring well abandonment forms (Form 3300-05B) for all monitoring wells related to this case and 2) documentation that the groundwater use restriction has been filed.

If you have questions regarding this letter, you may contact me at (715) 526-4230.

Sincerely,



Tom Sturm,

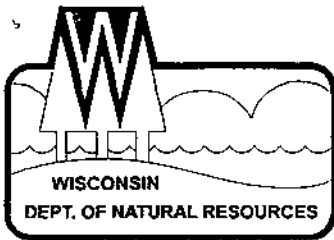
Hydrogeologist

Remediation and Redevelopment Program

E-mail: [sturmt@dnr.state.wi.us](mailto:sturmt@dnr.state.wi.us)

cc: Sean Fenrich – Northern Environmental Inc., 954 Circle Drive, Green Bay, WI 54304





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William R. Selbig, Regional Director

Shawano Office  
647 Lakeland Rd.  
Shawano, Wisconsin 54186  
Telephone 715-524-2183  
FAX 715-524-3214

July 16, 1999

Mr. Dale Kluth  
Glendale Farms Inc.  
N9895 Kluth Rd.  
Clintonville, WI

Subject: Groundwater Use Restriction for Kluth Property (Former Warning Farm), Clintonville, WI; LUST ID #03-69-153329.

Dear Mr. Kluth:

I have enclosed the well use restriction that needs to be filed by you, at the Waupaca County Register of Deeds. Please review this document for accuracy of ownership and property description. If the information is correct, please sign and record the document at the Register of Deed Office and return a copy to me indicating that it has been filed. You were informed of this requirement in my letter of May 14, 1999.

I have received the monitoring well abandonment forms as requested in my previous letter. The Department will formally close this case when documentation has been received that the well use restriction has been filed.

Please contact me at 715-526-4230 if you have any questions regarding this letter.

Sincerely,

Tom Sturm,  
Hydrogeologist  
Remediation and Redevelopment Program  
E-mail: [sturmt@dnr.state.wi.us](mailto:sturmt@dnr.state.wi.us)

cc: Sean Fenrich – Northern Environmental Inc., 954 Circle Drive, Green Bay, WI 54304



596880

VOL 949 PAGE 913



Document Number

## GROUNDWATER USE RESTRICTION

Declaration of Restrictions

The Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Number Twenty nine (29), Township Number Twenty five (25) North, Range Number Fifteen (15) East, excepting a strip of land 2 rods wide across the South side of said forty acre tract: A strip of land two (2) rods and One foot (1) wide, from a point Two (2) rods North of the Southwest corner of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) in said Section Number Twenty nine (29) to the north line of the last described forty acre tract, being a strip off the West side of the last described forty acre tract all being in Township Number Twenty five (25) North, Range Number Fifteen (15) East Waupaca County, Wisconsin.

STATE OF WISCONSIN                    )  
   ) ss  
 COUNTY OF WAUPACA                    )

WHEREAS, Dale Kluth and June Kluth, husband and wife are the owners of the above-described property.

WHEREAS, one or more petroleum discharges have occurred at this property. Petroleum contaminated groundwater above NR 140 enforcement standards exists on this property at the following location: Monitoring Well MW-200: Benzene at 120 ug/L (micrograms per liter). Location of the monitoring well is provided on Figure 1, attached and made part of this restriction.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

REGISTER'S OFFICE  
 WAUPACA COUNTY WI  
 RECEIVED FOR RECORD

JUL 21 1999

At 10:35 o'clock A.M. and Recorded  
 in Vol. 949 Page 913

*James J. Jensen* Register  
*Seal*

## Recording Area

## Name and Return Address

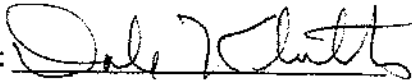
Dale & June Kluth  
 N 11625 Kluth Rd  
 Clintonville WI  
 54929

74-29-22-1  
 Parcel Identification Number (PIN)

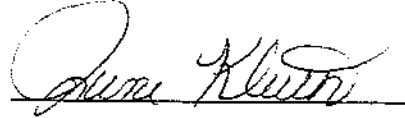
Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 21 day of July, 1999.

Signature:

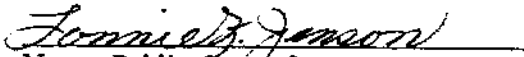


Dale Kluth



June Kluth

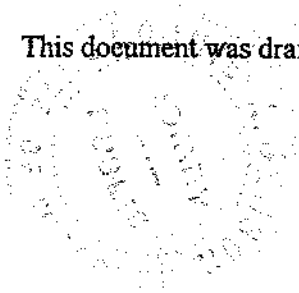
Subscribed and sworn to before me  
this 21st day of July, 1999

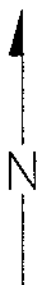
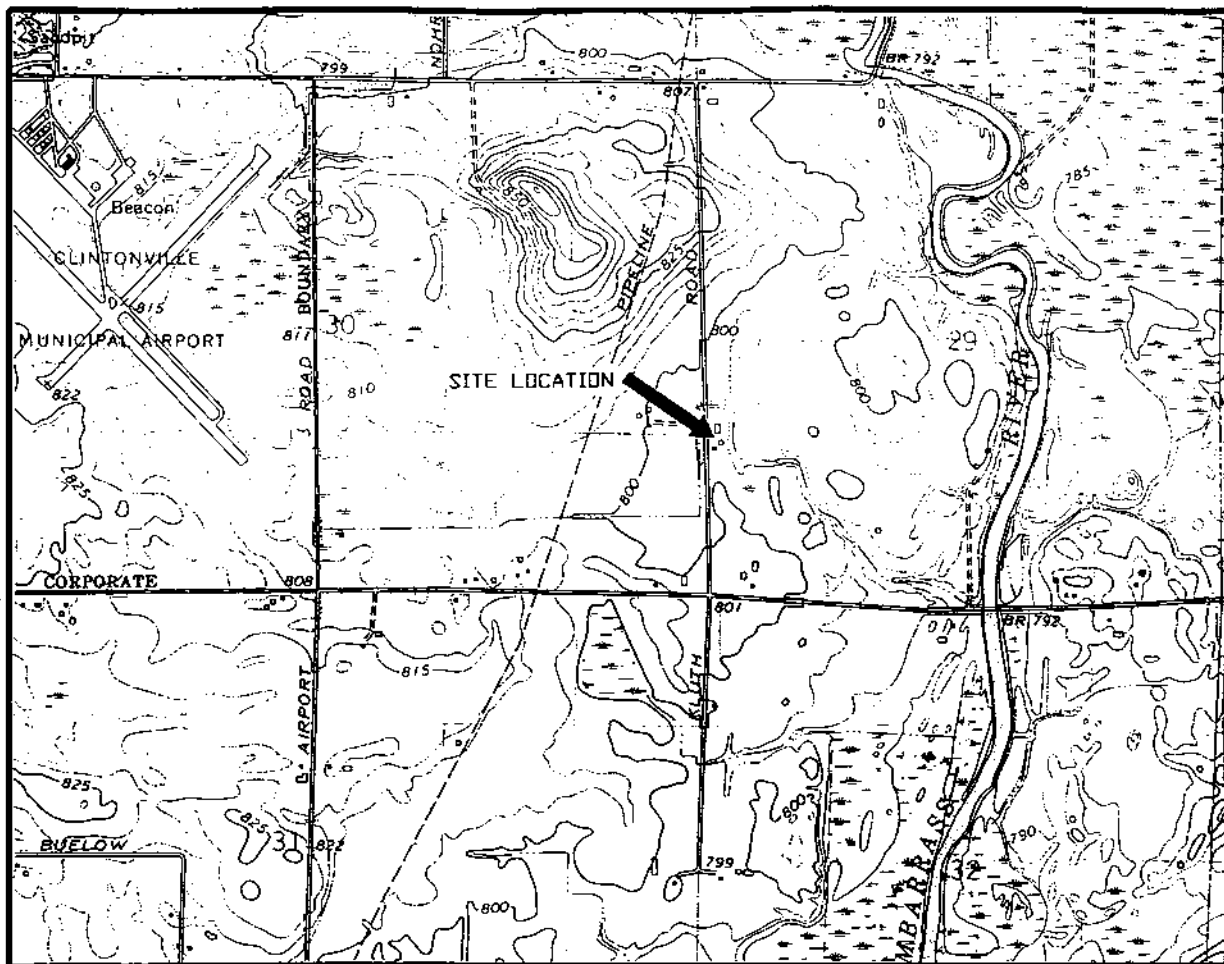


Notary Public, State of Wisconsin

My commission May 19, 2002

This document was drafted by the Wisconsin Department of Natural Resources.





SCALE IN FEET

1" = 2000'



CONTOUR INTERVAL 10 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929



BASE MAP SOURCE: USGS BEAR CREEK, WISCONSIN 7.5 MINUTE QUADRANGLE (REVISED 1969)

QUADRANGLE LOCATION

DRAWN BY: SXM PROJECT: DKP-0598

DATE: 2/24/99

REV. DATE

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**Northern Environmental**  
Hydrologists - Engineers - Geologists

FIGURE 1  
SITE LOCATION AND LOCAL TOPOGRAPHY  
DALE KLUTH PROPERTY  
CLINTONVILLE, WISCONSIN

FOR: GLENDALE FARMS INC.

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DRIVEWAY

SHED

BARN

HOUSE

MW100  
93.45

93.50

MW400  
93.50

93.60

MW500  
93.62

93.60

93.40

MW200  
93.44

93.40

93.50

MW300  
93.52

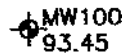
MW600  
93.33

GROUNDWATER FLOW  
DIRECTION

# LEGEND

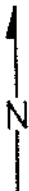


FORMER 450 GALLON GASOLINE UST



MONITORING WELL LOCATION WITH  
GROUNDWATER ELEVATION

GROUNDWATER CONTOUR LINE  
CONTOUR LINE INTERVAL = 0.10 FEET



SCALE IN FEET



DRAWN BY: SXM PROJECT: DKP-0598 DATE: 1/28/99

REV. DATE  
2/24/99

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Figure 1



DRIVEWAY

SHED

BARN

HOUSE

MW100  
NA

0.5

MW400  
0.52 "J"

MW500  
<0.32

MW300  
NA

MW600  
2.7

MW200  
120

# LEGEND

FORMER 450 GALLON GASOLINE UST

MW200  
120

MONITORING WELL LOCATION WITH BENZENE  
CONCENTRATION IN MICROGRAMS PER LITER  
( $\mu\text{g/l}$ )

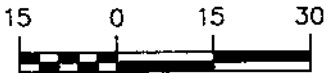
"J" = ANALYTE DETECTED BETWEEN LIMIT  
OF DETECTION AND LIMIT OF  
QUANTITATION

NA = NOT ANALYZED

ISOCONCENTRATION LINE:  
DASHED WHERE INFERRED

N

SCALE IN FEET



DRAWN BY: SXM PROJECT: DKP-0598

DATE: 1/20/99

REV. DATE  
2/24/99  
3/4/99

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FIGURE 5  
MONITORING WELL LOCATIONS AND ESTIMATED  
EXTENT OF BENZENE IN GROUND WATER (11/3/98)  
FORMER WARNING FARM  
CLINTONVILLE, WISCONSIN

FOR: GLENDALE FARMS INC.

Ground-Water Analytical Results, Former Warring Farm, Clintonville, Wisconsin

Relevant and Significant Analytical Results (µg/l)																					
Well ID	Date Sampled	GRO	Lead	Benzene	n-Butylbenzene	sec-Butylbenzene	1,2-Dibromo-3-Chloropropane	1,2-Dichlorobenzene	1,3-Dichlorobenzene	1,4-Dichlorobenzene	1,1-Dichloroethane	Dihexyl Ether	Ethylbenzene	EDB (1,2-Dichloroethane)	Isopropylbenzene	p-Isopropylbenzene	Naphthalene	n-Propylbenzene	Toluene	Trinitrobenzenes	Xylenes
WDNR PAL (µg/l)		NE	1.5	0.5	NE	NE	0.02	60	125	15	0.5	NE	140	0.005	NE	NE	8	NE	69.6	96	124
WDNR ES (µg/l)		NE	15	5	NE	NE	0.2	800	1250	75	5	NE	700	0.05	NE	NE	40	NE	343	480	620
MM100	02/17/97	< 100	< 1	< 0.21	< 0.39	< 0.6	< 0.1	< 0.24	< 0.28	< 0.23	< 0.14	< 0.28	< 0.88	< 0.048	< 0.38	< 0.37	< 1	< 0.4	< 1.5	< 1.86	< 1.8
	02/17/99	—	—	< 0.21	—	—	—	—	—	—	—	—	< 0.88	—	—	—	—	—	< 1.5	< 1.86	< 1.8
MM200	11/17/97	4800	< 1	920	< 38	< 60	< 10	< 24	< 28	< 23	< 14	< 28	180	< 4.8	< 38	< 37	< 100	< 40	810	150	730
	02/17/98	—	—	260	—	—	—	—	—	—	—	—	110	—	—	—	21 "J"	—	210	138	270
05/15/98	—	—	—	180	—	—	—	—	—	—	—	—	120	—	—	—	< 44	—	120	210	370
08/17/98	—	—	—	90	—	—	—	—	—	—	—	—	44	—	—	—	8	—	4.1	132	130
11/03/98	—	—	—	120	—	—	—	—	—	—	—	—	80	—	—	—	6.2	—	7.9	132	110
MM300	11/17/97	< 100	< 1	< 0.21	< 0.39	< 0.6	0.17 "J"	50	1.6	12	< 0.14	< 0.28	< 0.88	< 0.048	< 0.38	< 0.37	< 1	< 0.4	< 1.5	< 1.86	< 1.8
	02/17/98	—	—	< 0.21	—	—	—	—	—	—	—	—	< 0.88	—	—	—	—	—	< 1.5	< 1.86	< 1.8
MM400	11/17/97	1300	2 "J"	46	17	1.1	< 0.1	< 0.24	< 0.28	< 0.23	0.89	2.5	40	0.6	1.8	< 0.37	6.7	5.6	230	98	330
	02/17/98	—	2 "J"	20	15	1.3	< 0.1	< 0.24	< 0.28	< 0.23	0.19 "J"	< 0.28	55	< 0.048	2.8	0.59	9.5	8.4	8.6	89	169
05/15/98	—	—	—	0.85 "J"	< 0.23	< 0.34	< 0.22	< 0.29	< 0.28	< 0.28	< 0.36	< 0.32	< 0.34	< 0.36	< 0.34	< 0.31	0.9 "J"	< 0.3	< 0.45	< 0.79	2.4
08/17/98	—	—	—	2.4	—	—	—	—	—	—	—	—	3.7	—	—	—	< 0.88	—	< 0.35	0.39 "J"	< 0.89
11/03/98	—	—	—	0.52 "J"	—	—	—	—	—	—	—	—	2.1	—	—	—	< 0.88	—	< 0.35	1.7	1.7 "J"
MM500	01/09/98	—	—	< 0.21	< 0.38	< 0.6	< 0.1	< 0.24	< 0.28	< 0.23	< 0.14	< 0.28	< 0.88	< 0.048	< 0.38	< 0.37	< 1	< 0.4	< 1.5	< 1.86	< 1.8
	05/15/98	—	—	< 0.32	—	—	—	—	—	—	—	—	< 0.34	—	—	—	< 0.88	—	< 0.35	< 0.99	< 1
08/17/98	—	—	—	< 0.32	—	—	—	—	—	—	—	—	< 0.34	—	—	—	< 0.88	—	< 0.35	< 0.99	< 0.96
11/03/98	—	—	—	< 0.32	—	—	—	—	—	—	—	—	< 0.34	—	—	—	< 0.88	—	< 0.35	< 0.99	< 0.96
MM600	01/09/98	—	—	2	< 0.38	< 0.6	< 0.1	< 0.24	< 0.28	< 0.23	< 0.14	< 0.28	< 0.68	< 0.048	< 0.38	< 0.37	< 1	< 0.4	< 1.5	< 1.86	3.4
	05/15/98	—	—	2.2	—	—	—	—	—	—	—	—	< 0.34	—	—	—	< 0.88	—	< 0.35	< 0.99	1.4 "J"
08/17/98	—	—	—	0.7 "J"	—	—	—	—	—	—	—	—	< 0.34	—	—	—	< 0.88	—	< 0.35	< 0.99	1.1 "J"
11/03/98	—	—	—	2.7	—	—	—	—	—	—	—	—	< 0.34	—	—	—	< 0.88	—	< 0.35	< 0.99	< 0.96

Key:

GRO Gasoline Range Organics

µg/l micrograms per liter

WAC Wisconsin Administrative Code

PAL Preventive Action Limit

ES Enforcement Standard

NE Not established by WAC

"J" Analyte detected between Limit of Detection and Limit of Quantification

— Not analyzed

32 NR 140 WAC Preventive Action Limit Exceeded

32 NR 140 WAC Enforcement Standard Exceeded

Inorganic Ground-Water Quality Data, Former Warning Farm, Clintonville, Wisconsin

Well Number	Date	Temperature (° F)	pH (su)	Conductivity (µmho/cm)	O.R.P. (mV)	D.O. (mg/l)	Nitrate (mg/l)	Manganese (mg/l)	Iron (mg/l)	Sulfate (mg/l)
MW100	02/17/98	41.4	7.30	530	145	3.51	0	0.10	0	<50
MW200	02/17/98	40.8	7.40	510	<80	2.78	0	0.25	1.6	55
	05/15/98	55.4	7.40	380	<80	0.74	0	0.30	2.4	55
	08/17/98	63.2	7.30	640	<80	0.53	0	0.25	1.4	<50
	11/03/98	55.2	7.13	710	240	0.76	0	0.25	1.1	<50
MW300	02/17/98	41.1	7.40	540	155	3.71	0	0.18	0	<50
MW400	02/17/98	42.3	7.10	690	105	1.45	0	0.20	0	60
	05/15/98	56.2	7.50	780	110	1.05	0	>.70	0	80
	08/17/98	60.5	7.50	1020	40	1.03	0	0.65	0.0	80
	11/03/98	55.0	7.28	640	250	0.66	0	>.70	0	100
MW500	05/15/98	54.0	7.20	250	130	5.46	0	0.24	0.0	65
	08/17/98	61.4	7.20	720	160	4.30	0	0.08	1.0	65
	11/03/98	54.5	7.15	710	210	3.54	0	0.15	1.0	80
MW600	05/15/98	58.7	7.40	380	135	6.20	0	0.35	2.0	80
	08/17/98	60.3	7.30	840	185	7.21	0	0.10	2.5	90
	11/03/98	55.0	7.19	540	220	0.84	0	0.27	0.8	90

Key:

D.O. = dissolved oxygen  
O.R.P. = oxygen-reduction potential  
COND. = specific conductance  
mg/l = milligrams per liter  
mV = millivolts  
su = standard units  
µmho/cm = microMhos per centimeter